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August 8, 2016

VIA ECF

Hon. James L. Cott
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: *Hernandez v. The Fresh Diet, Inc.*, 15 CV 1338 (ALC)(JLC)

Dear Judge Cott:

We represent the Plaintiffs in the above-referenced action. We write to respectfully request a court conference to address the impact on the litigation of Defendants' counsel's anticipated withdrawal from representation as attorneys for The Fresh Diet, Inc., Late Night Express Courier Services, Inc., Fresh Diet Express Corp., The Fresh Diet-NY Inc., Fresh Diet Grab & Go, Inc., Fresh Diet Express Corp., Syed Hussain, Judah Schloss, and Zalmi Duchman (collectively "Fresh Diet Defendants") and of The Fresh Diet, Inc.'s recent bankruptcy and closing.

On August 2, 2016, Jeffery A. Meyer, Esq. of Kaufman Dolowich & Voluck, LLP (KDV), sought permission to submit a pre-motion letter and related submissions *ex parte* for *in camera* review and to stay the matter for 30 days so that Fresh Diet Defendants may have the opportunity to find new counsel.¹ Since the timing of KDV's motion supports the inference that it relates to The Fresh Diet, Inc.'s declaration of bankruptcy and closing, we seek a conference before Your Honor to discuss the effect of both issues on the litigation and discovery schedule set by Your Honor.

Thank you for your time and attention to this matter.

Respectfully submitted,



Walker G. Harman, Jr.

Cc: Jeffrey A. Meyer, Esq. (via ECF)
Aaron N. Solomon, Esq. (via ECF)
Howard I. Rhine, Esq. (via ECF)
David J. Sack, Esq. (via ECF)

¹ Plaintiffs do not oppose KDV's anticipated motion to withdraw as representatives for the Fresh Diet Defendants.